

**MINUTES OF THE NHLC**  
**DIVISION OF ENFORCEMENT & LICENSING MEETING**  
**FOR THURSDAY, JANUARY 29, 2015**

1. **HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:**

None

**HEARINGS TO BE HELD AT THE OFFICES OF THE PUBLIC UTILITIES COMMISSION, WALKER BUILDING, 21 SOUTH FRUIT STREET, CONCORD, NH:**

**February 19, 2015 @ 9:30 a.m.:**

- a. Foresters' Club Of Newport, 38 Maple Street, Newport, NH.  
Social Club License #16201 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 179:19, VI/RSA 647:2 – allowed gambling and wagering on the premises.  
Date of violation: July 11, 2014.  
Case #: 14-269-OF.

**February 19, 2015 @ 10:00 a.m.:**

- b. Arena Sports Bar & Nightclub, 53 High Street, Nashua, NH.  
Restaurant Full Service With Lounge License #1453303 licensed pursuant to  
RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was  
visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: February 1 - 2, 2013.  
Case #: 14-116-OF.

**February 19, 2015 @ 10:00 a.m.:**

- c. Victory Lanes Bowling & Sports Bar, 9 Central Street, Woodsville, NH.  
Sports Entertainment License #6014105 licensed pursuant to RSA 178:22, V(u)(1).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was  
visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 2 counts.  
Date of violations: January 17, 2014, February 21 – 22, 2014 & April 19, 2014.  
Case #: 14-246-OF, 14-248-OF & 14-227-OF.

**February 19, 2015 @ 10:30 a.m.:**

- d. Pacific Fusion Restaurant, 356 D.W. Highway, Merrimack, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1442203 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was  
visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: July 26, 2014.  
Case #: 14-265-OF.

**February 19, 2015 @ 10:30 a.m.:**

- e. Singin' Bowl, 10 Bridge Street #4, Pelham, NH.  
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #401606 licensed pursuant to RSA 178:20-a.  
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.  
Date of violation: February 6, 2014.  
Case #: 14-42-OF.

**February 19, 2015 @ 11:00 a.m.:**

- f. Goat Bar & Grill, 20 L Street, Hampton, NH.  
Seasonal Restaurant On-Premise Beverage/Wine/Liquor License #1490303 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.  
Date of violations: July 12, 2014.  
Case #: 14-250-OF.

**February 19, 2015 @ 11:30 a.m.:**

- g. Rack's Bar & Grill, 20 Plaistow Road, Plaistow, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1465103 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated with 1 fatality.  
Date of violation: October 5, 2013.  
Case #: 13-314-OF.

**Date to be determined:**

- h. Club 550, 2025 White Mountain Highway, North Conway, NH.  
Sports Entertainment License #2503005 licensed pursuant to RSA 178:22, V(u)(1).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.  
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.  
Date of violations: May 25, 2014.  
Case #: 14-170-OF.  
THE LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

**Date to be determined:**

- i. Club Social, 240 Main Dunstable Road, Nashua, NH.  
Social Club License #16501 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises – 3 counts.  
Dates of violations: July 18, 2013 – the present & May 3, 2014.  
Case #s: 14-91-OF & 14-170-OF.  
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A MOTION TO CONTINUE.

**Date to be determined:**

- j. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.  
Restaurant Full Service With Lounge License #1476403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.  
Date of violations: March 6, 2014.  
Case #: 14-90-OF.  
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A MOTION TO CONTINUE.

**Date to be determined:**

- k. Zaboo, 24 Depot Street, Manchester, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.  
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.  
Dates of violations: October 31, 2014 & September 6, 2014.  
Case #s: 14-413-OF & 14-338-OF.  
THE LICENSEE FILED A MOTION TO CONTINUE WHICH WAS GRANTED IN PART; NEW DATE TO BE DETERMINED.  
SETTLEMENT PENDING.

**2. NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Capital Tobacco, 9 Pleasant Street Extension, Concord, NH.  
Sports Entertainment License #839717 licensed pursuant to RSA 178:22, V(u)(1).  
Cited for violation of RSA 178:29, VIII – license was transferred to another location without consent of the Commission.  
Date of violation: July 18, 2014.  
Case #: 14-253-OF.  
\$100 administrative fine.  
**COMMISSION ACKNOWLEDGED.**
- b. Honey Pot Bar & Lounge, 920 Lafayette Road, Seabrook, NH.  
Restaurant Full Service With Lounge License #1411603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Cited for violation of RSA 179:17 – allowed the sale and consumption of alcoholic beverage on the premise after the expiration of the serving hour.  
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 3 counts.  
Date of violations: February 9, 2014, April 5, 2014, February 21, 2014.  
Case #s: 14-50-OF, 14-66-OF & 14-186-OF.  
For violation of RSA 179:5, I, \$500 administrative fine, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days held in abeyance for twelve (12) months pending no like violation; for all other violations, \$850 administrative fine; the violation history for license #1411603 shall carry over to the next liquor license the licensees are issued.  
TABLED UNTIL 1/29/15 MEETING WHEN LICENSEE WILL ATTEND THE ENFORCEMENT AGENDA MEETING.  
**LICENSEES LYND SAY PAGE AND KAMNL GREEN APPEARED BEFORE THE COMMISSION; DEPUTY COMMISSIONER MILLIGAN STATED THAT THE PENALTIES AGREED TO WERE SUFFICIENT BUT THAT THE NATURE OF THE VIOLATIONS INDICATED THERE WAS A**

**PROBLEM WITH MANAGEMENT; HE ASSUMES THAT THESE VIOLATIONS OCCURRED WHEN THE LICENSEES WERE NOT AT THEIR ESTABLISHMENT; THEY NEED TO DO A BETTER JOB MANAGING THEIR PREMISES; THEY SHOULD TAKE ADVANTAGE OF TRAINING OFFERED BY THE COMMISSION; MS. PAGE INDICATED THAT THEY WERE PRESENTLY CLOSED AND IN THE PROCESS OF RELOCATING THEIR BUSINESS; DEPUTY COMMISSIONER MILLIGAN STATED THAT THE SAME MANAGEMENT TEAM WOULD LIKELY WORK AT THE NEW LOCATION; THE VIOLATIONS IN QUESTION ARE VERY SERIOUS AND CREATE LIABILITY THAT COULD EFFECT THEIR INSURANCE; CONTINUED ACTIVITY SUCH AS THIS WILL PUT THEIR LIQUOR LICENSE IN PERIL; THEY SHOULD CONTACT THE COMMISSION IF THERE IS ANYTHING THEY NEED HELP WITH INCLUDING TRAINING; MS. PAGE STATED THAT MANAGEMENT AND STAFF AT THE NEW LOCATION WOULD BE SERVE-SAFE AND TIPS CERTIFIED BEFORE THEY OPEN FOR BUSINESS; DIRECTOR WILSON REMINDED THEM THAT COMMISSION-SPONSORED TRAINING IS FREE OF CHARGE.**

**3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:**

- a. American Legion Post 21, 7 Perley Street, Concord, NH.  
Veterans Club License #15539 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.  
Date of violation: October 24, 2014.  
Case #: 14-454-OF.  
\$100 administrative fine paid.  
**COMMISSION ACKNOWLEDGED.**
- b. Lee Wah Restaurant, 118 Whittier Highway, Moultonborough, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1095903 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.  
Date of violation: December 17, 2014.  
Case #: 14-462-OF.  
\$250 administrative fine paid.  
**COMMISSION ACKNOWLEDGED.**
- c. Mobil On The Run, 43 Bradford Road, Henniker, NH.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3288547 pursuant to RSA 178:18.  
Cited for violation of RSA 175:1/Liq. 404.02 - failed to have representative grocery items commonly found in a grocery or convenience store.  
Date of violation: December 12, 2014.  
Case #14-449-OF.  
\$250 administrative fine paid.  
**COMMISSION ACKNOWLEDGED.**

**4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

- a. Amorita Sophia LLC DBA Kozy's Pizza, 748 Calef Highway, Barrington, NH 03825.  
To be issued Restaurant On-Premise Beverage and Wine License #1501203 pursuant to RSA 178:20.  
30 Day Temporary License issued: 1/20/2015.  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.**
- b. Bhramani Corp. DBA Concord Gulf Express, 188 Pleasant Street, Concord, NH 03301.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3324247 pursuant to RSA 178:18.  
30 Day Temporary License issued: 1/20/2015.  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.**

- c. Discount Price LLC DBA Robert's Market, 2 Hill Road, Franklin, NH 03235.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3322547 pursuant to RSA 178:18.  
30 Day Temporary License issued: 1/20/2015.  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.**
- d. Great Circle Catering LLC, 139 Flightline Avenue, Suite 2, Portsmouth, NH 03801.  
To be issued Caterer-Off-Site License #1284634 pursuant to RSA 178:22, V(e).  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.**
- e. Strike Zone Pizza Pub LLC, 19 Park Street, Colebrook, NH 03587.  
To be issued Restaurant On-Premise Beverage and Wine License #1499103 pursuant to RSA 178:20.  
30 Day Temporary License issued: 1/22/2015.  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.**

5. **LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

6. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JANUARY 27, 2015: 1,105**

- a. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.  
To be issued Beverage Vendor License #70131 pursuant to RSA 178:15.  
Manufacturer: ABRO BRYG GERI, VIMMERBY SWEDEN.  
30 Day Temporary License issued 1/21/2015.  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.**
- b. Pax Mahle Wines LLC, 6450 1st Street, Suite D K L, Forestville, CA 95436.  
Direct Shipper Permit pursuant to RSA 178:27.  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA THE MOTION; THE MOTION PASSED.**
- c. Precept Brands LLC DBA Gruet Winery,  
8400 Pan American Hwy. NE, Albuquerque, NM 87113.  
Direct Shipper Permit pursuant to RSA 178:27.  
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.**

7. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

8. **CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:**

None

**9. NOTIFICATION OF APPROVED PETITIONS:**

- a. Copper Door LLC, 15 Leavy Drive, Bedford, NH 03110.  
Restaurant On-Premise Beverage/Wine/Liquor License #1439203 licensed pursuant to RSA 178:21.  
Date petition received: 1/15/2015.  
Requested approval for an outside area, to wit, an outside lot area with a capacity of 400 on January 25, 2015 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.  
**COMMISSION ACKNOWLEDGED.**
- b. Craft Brew Alliance, Inc. DBA Redhook Ale Brewery,  
1 Redhook Way, Pease International, Portsmouth, NH 03801.  
Restaurant On-Premise Cocktail Lounge License #1066603 licensed pursuant to RSA 178:22.  
Date petition received: 12/23/2014.  
Requested approval for an outside area, to wit, an outside back lawn area with a capacity of 2,500 on January 24, 2015 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.  
**COMMISSION ACKNOWLEDGED.**
- c. Family Dollar, Inc. DBA Family Dollar 2878, 880 Central Street, Franklin, NH 03235.  
Retail Tobacco License #121317 licensed pursuant to RSA 178:19-a.  
Date petition received: 1/9/2015.  
Requested approval for authorization to transfer business location, to wit, transfer the location from 880 Central Street, Franklin, NH to 785 Central Street, Franklin, NH as indicated in a letter dated January 9, 2015 pursuant to RSA178:29, VIII.  
**COMMISSION ACKNOWLEDGED.**
- d. Strike Zone Pizza Pub LLC, 19 Park Street, Colebrook, NH 03576.  
Restaurant On-Premise Beverage/Wine License #1499103 licensed pursuant to RSA 178:20.  
Date petition received: 1/22/2015.  
Requested approval for retention of invoices at another location, to wit, a home office located at 19 Park Street, Colebrook, NH pursuant to RSA 179:25.  
**COMMISSION ACKNOWLEDGED.**

**10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:**

Legends Billiards & Tavern, 80 Hanover Street, Portsmouth, NH.  
Sports Entertainment License #2500705 licensed pursuant to RSA 178:22, V(u)(1).  
Requested approval for a Felon Exception for James Trottier as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).  
Case #: 14-353-OF.  
**COMMISSION ACKNOWLEDGED.**

**11. NOTIFICATION OF DENIED FELON EXCEPTIONS:**

None

**12. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:**

None

**13. NOTIFICATION OF COMPLIANCE CHECKS:**

None

**14. NOTIFICATION OF HEARING RESULTS:**

None

**15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:**

None

16. **MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

None

17. **NOTIFICATION OF LATE ITEM:**

Truant's Taverne, 96 Main Street, North Woodstock, NH.

Restaurant Full Service With Lounge License #1256203 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.

Date of violation: April 12 – 13, 2014.

Case #: 14-199-OF.

\$1,500 administrative fine which includes a \$500 fine that had been suspended on May 7, 2014 relative to Case #11-465-OF, four (4) points shall be assessed to the liquor license, the license to sell alcohol in the cocktail lounge only shall be suspended for twelve (12) days commencing February 1, 2015 with re-grant on February 13, 2015, Michael Hyland and Pamela Hyland shall attend a Management Training Seminar (MTS) in a classroom on the next available date and all servers shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom on the next available date.

**COMMISSION ACKNOWLEDGED; DEPUTY COMMISSIONER MILLIGAN STATED FOR THE RECORD THAT HE HAD COMMUNICATED WITH NANCY SHEA ABOUT THE TIMING OF VIOLATIONS FOR THIS CASE AS WELL AS THOSE FOR THE PREVIOUS CASE INVOLVING THIS LICENSEE.**